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UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

17 AMERICAN FEDERATION OF  
18 GOVERNMENT EMPLOYEES, AFL-CIO;  
19 AMERICAN FEDERATION OF STATE  
20 COUNTY AND MUNICIPAL EMPLOYEES,  
21 AFL-CIO, et al.,

Plaintiffs,

v.

23 UNITED STATES OFFICE OF PERSONNEL  
24 MANAGEMENT, et al.,

Defendants.

Case No. 3:25-cv-01780-WHA

**SUPPLEMENTAL DECLARATION OF  
AMELIA GLYMPH**

**SUPPLEMENTAL DECLARATION OF AMELIA GLYPH**

I, Amelia Glymph, declare as follows:

1. I am over 18 years of age. I make this declaration based on my personal knowledge, information, and belief, and records of the American Federation of Government Employees, AFL-CIO (“AFGE”).

2. I am the Deputy Chief of Staff of the American Federation of Government Employees, AFL-CIO (AFGE), a labor organization and unincorporated association that represents approximately 800,000 federal civilian employees at 192 departments, agencies, and sub-agencies of the federal government through its affiliated councils and locals. I summarized those departments and agencies in my previous declaration in this case (Dkt. 161-1). AFGE members are located in every state in the United States. AFGE has approximately 900 locals, each of which has direct responsibility for representing the employees in their respective bargaining units.

3. Attached hereto as Exhibit 1 is a list of probationary federal employees who AFGE knows were terminated starting in February 2025, and whom we believe are AFGE members based on our membership data. This list was compiled based on information provided by AFGE locals and the results of a survey sent solely to active AFGE members. That survey, in turn, was cross-referenced, to the best of our ability, with AFGE’s membership database and other information we have obtained regarding probationary employee terminations in bargaining units represented by AFGE. As of the date of this declaration, AFGE is aware of approximately 1,400 members who were employed in at least 27 departments and agencies and who were terminated during their probationary or trial period.

4. However, the list in Exhibit 1 is likely to be underinclusive for several reasons discussed below. It is likely that the complete, unredacted terminated employee lists that the Government has been ordered to produce will show more AFGE members who were terminated in their probationary period than we were already aware of.

5. First, while AFGE is the exclusive representative of all bargaining unit employees in each bargaining unit that it represents, union membership is voluntary. Some bargaining unit employees choose not to be members of AFGE. As the exclusive representative of employees in

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1 those bargaining units, AFGE has a legal duty of fair representation to all employees in those  
2 bargaining units, regardless of their union membership or lack thereof. *See* 5 U.S.C. § 7114(a)(1).  
3 This duty means that with respect to matters in the scope of representation, we must treat all  
4 represented employees in a manner that is not arbitrary, discriminatory, or in bad faith, regardless of  
5 union membership status. Starting in February 2025, AFGE staff have received thousands of calls  
6 and emails from federal employees seeking guidance on the termination of probationary employees.  
7 In responding to those requests, AFGE staff provided assistance without regard to the employee's  
8 union membership status. Therefore, the number of calls and emails we received does not indicate  
9 whether those employees were union members.

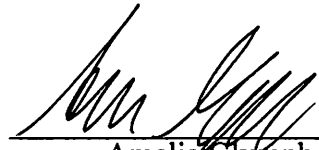
10 6. Second, while AFGE maintains membership lists of all represented employees who  
11 have chosen to become AFGE members, those lists do not identify employees by probationary status  
12 or date of hire or promotion into their current position. Most probationary employees are recent hires  
13 to the federal government, but long-time employees (including those who may be union members of  
14 long standing) can become probationary again if they have recently been promoted into a new  
15 position. Further, represented employees may choose to become union members at any point during  
16 their federal employment. While some employees choose to become union members right away,  
17 others may choose to become union members only after being employed by the government for some  
18 period of time. Therefore, the date that an employee became a union member has no relation to the  
19 date of their hire or promotion, and our membership lists shed no light on whether an employee is in  
20 their probationary period.

21 7. Third, there is generally no obligation on the part of the government, whether by  
22 statute, regulation, or collective bargaining agreements, to notify AFGE when an employee in one of  
23 the bargaining units we represented is terminated from their federal employment. Therefore, AFGE  
24 sometimes does not learn of a member's termination until and unless the member directly contacts  
25 AFGE seeking advice or assistance. Unfortunately, not all members reach out to the union for help  
26 when they are terminated (although many do). I am not aware of any AFGE collective bargaining  
27 agreement that requires the federal agency employer to automatically provide immediate notice to  
28 AFGE of the termination of a bargaining unit employee.

1           8.       Fourth, because the Union does not have the right to receive notice of individual  
2 employee terminations automatically, it is particularly important that the federal agency employers  
3 comply with their legal duty to provide certain information to the Union upon request. However,  
4 some federal agency employers have refused requests from our affiliates to provide information  
5 regarding the termination of probationary employees in the bargaining units we represent. For  
6 example, our bargaining unit at the Department of Veterans Affairs (“VA”) includes more than  
7 300,000 represented workers. Our affiliate that represents that bargaining unit, AFGE Council 53,  
8 has requested a list of terminated probationary employees from the VA, which the VA has refused to  
9 provide notwithstanding that it has a legal duty to provide information about bargaining unit  
10 employees to Council 53. *See* 5 U.S.C. § 7114(b)(4). Where our affiliates have received responses to  
11 those information requests, we have cross-referenced those responses against our membership  
12 database. (Exhibit 1 incorporates responses to information requests that we have received and cross-  
13 referenced in this manner.) However, the refusal of many agencies to provide the requested  
14 information, or delays in receiving that information, mean that our information regarding the identity  
15 of probationary employees who are union members and who were terminated is incomplete. Further,  
16 the data on terminated probationary bargaining unit employees provided by agencies is generally  
17 limited to first and last names (and sometimes departments or GS levels). Thus, cross-referencing  
18 agency data against AFGE’s records can only be done by first and last name, which often results in  
19 significant undercounts due to common names, name changes, misspellings, or members’ use of  
20 preferred names or nicknames in AFGE’s records that do not correspond to agency personnel records.

21           9.       While many probationary employees identified on Exhibit 1 have been reinstated in  
22 response to this Court’s preliminary injunction and the TRO and preliminary injunction issued in  
23 *Maryland, et al. v. U.S. Dep’t of Agriculture, et al.*, D. Md. Case No. 25-00748, those injunctions  
24 have now been stayed. Some probationary employees in other agencies, including the Department of  
25 Labor, received letters rescinding their upcoming terminations. Therefore, even those probationary  
26 employees who were reinstated are now facing termination anew.

27           I declare under penalty of perjury under the laws of the United States that the foregoing is true  
28 and correct. Executed on April 11, 2025, in Washington, D.C.

  
Amelia Glymph

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# EXHIBIT 1

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1. *Journal of the American Medical Association*, 1998; 279: 1001-1005.

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